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Municipal oaths, political virtues and the centralised state: the adaptation of oaths of office in fifteenth-century Flanders

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Abstract

This essay explores the impact of Burgundian state formation on oaths that were taken by the various participants of Flemish municipal elections. These solemn promises were a powerful means to assert the reliability of the election. In the fifteenth century their use underwent significant changes. For the first time they were fixed in writing. The number of participants that had to swear these oaths increased and new clauses were added. Thus, oaths were employed as political instruments. Both the ruler and the towns used them to bind the participants to the balance of power that had been achieved.

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1. Introduction

Historians once considered oaths as a ritual act that was strongly isolated from real politics.¹ Because of the centralised state formation and the development of

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efficient instruments of restraint, the old practical purpose of these solemn promises had vanished. Since a professionalised jurisdiction could detect and punish violations it was not thought necessary to exact desirable conduct by means of a solemn oath.² However, recent studies have defined oaths as political tools that were employed in a rational way.³ Moreover, political centralisation had another important impact on these solemn vows. The early modern state monopolised the use of oaths in order to bind individuals successfully to large political entities.⁴

This essay seeks to explore the influence of the rising Burgundian-Habsburg State on Flemish oaths of municipal office. Our case study is the use of oaths during an important urban political ritual: the *wetsvernieuwing*. With this yearly ritual of the transfer of offices, new municipal governments were elected and installed in the Flemish towns. This ritual had to root the legitimacy of the aldermen in the trust that able and qualified men were selected, who would rule the town virtuously. Therefore, the norms and values of good town government were expressed explicitly during the ritual. Here, we will analyse the situation in the three chief towns of Flanders: Ghent, Bruges and Ypres. The growth of the Burgundian State in the fifteenth century strongly challenged the independence of these three towns. The elaboration of the *wetvernieuwing* played a key role in the relations between the ruler and his subjects, since the duke wanted to leave his mark on the composition of municipal governments just as much as did the urban communities.

In the course of the fifteenth century several revolts against centralised state formation broke out. During the Ghent war (1379–1385) the Flemish towns joined the action to protest against the politics of count Louis of Male. His successors, the Burgundian dukes Philip the Bold and John the Fearless, also tried to bind the powerful Flemish towns to their centralised politics. In this context the organisation of the *wetsvernieuwing* was an important issue. Under the reign of Philip the Good several large revolts broke out in Bruges (1436–1438) and Ghent (1449–1453) and rebellious benches of aldermen were installed. Charles the Bold again faced Ghent in the revolt of 1467–1469. When his daughter Mary of Burgundy succeeded him in 1477 the Flemish towns made a large number of demands, amongst which was the restoration of the old ritual of the *wetsvernieuwing*. When she died in 1482 her

² J. Fezas, 'Le serment, lien social et lien politique', in: *Le serment. I. Signes et fonctions*, ed. R. Verdier (Paris, 1991), 226–232.

³ E. Isenmann, 'Ratsliteratur und städtische Ratsordnungen des späten Mittelalters und der frühen Neuzeit. Soziologie des Rats-Amt und Willensbildung politische Kultur', in: *Stadt und Recht im Mittelalter. La ville et le droit au Moyen Âge*, ed. P. Monnet and O. Oexle (Veröffentlichungen des Max-Planck-Instituts für Geschichte, Band 174, Göttingen, 2003), 339.

⁴ P. Prodi, *Das Sakrament der Herrschaft. Der politische Eid in der Verfassungsgeschichte des Okzidents* (Schriften des italienisch-deutschen historischen Instituts in Trient. Band 11, Berlin, 1997), 200; J. Spurr, 'A profane history of early modern oaths', *Transactions of the Royal Historical Society*, 11 (2001), 40–1 and 59–60; A. Holenstein, 'Seelenheil und Untertanenpflicht. Zur gesellschaftlichen Funktion und theoretischen Begründung des Eides in der ständischen Gesellschaft', in: *Der Fluch und der Eid. Die metaphysische Begründung gesellschaftlichen Zusammenlebens und politischer Ordnung in der Ständischen Gesellschaft*, ed. P. Blickle and A. Holenstein (Zeitschrift für historische Forschung, Beiheft 15, Berlin, 1993), 11–14 and 59–61.

husband, Maximilian of Austria, wished to be the guardian of their son, Philip, who was a minor. Since this German prince was known as an upholder of centralised state formation, the Flemish towns again protested and installed their own benches of aldermen. In 1485 the archduke regained power, but resistance to his rule reached a climax in 1488 and he was imprisoned in Bruges. In the following years, the tide turned. Bruges surrendered in 1490 and Ghent was defeated in 1492.

To what extent were oath-formulae employed as political tools in this conflict between centralisation and urban independence? Can we trace an increasing influence of the Burgundian centralised state on oaths that were taken in the Flemish towns? Or were the towns just as active in applying these promises for their own benefit? The first part of the essay deals with the importance of these solemn vows within the ritual transfer and sketches the broad development of these promises in the fifteenth century. Secondly, surviving oath-formulae are analysed in order to trace the development of the formulation of these promises. Which values and norms were expressed in these oaths? How was a virtuous government defined? And which clauses were added as a result of the prevailing political context?

2. Oaths, the ritual transfer of power and the *consensus populi*

2.1. *The foundation of trust in the municipality*

In many medieval towns a new municipal government was elected and installed yearly. This ritual transfer was of great importance for the town, since it expressed the norms and values of the town in a very tangible way in order to establish public trust in the urban government. Moreover, these rituals expressed the unity of the town's inhabitants; as Isenmann put it: 'the festivities celebrating the inauguration of a new council were the most ostentatious and legally binding manifestation of the unity of the citizenry'.⁵

The solemn ritual transfer thus had to root the power of the municipal government firmly in the consensus of the inhabitants. This *consensus populi* is a key concept in understanding the relationship between medieval town governments and their subjects. Inspired by Aristotle and his medieval followers, it presupposes a broader interpretation of the concept of participation (*participare*) that is clearly distinguished from government (*principare*). The well-organised crowd (*multitudo bene ordinata*) participated in town government; it could control the municipal government and could agree or reject the policy, but the members of this crowd were not allowed to vote or to be elected. On the contrary, the rule of the town was reserved for the wisest and most virtuous men, the *melior* or *sapientior pars*. These governors had to serve the common good to the utmost of their ability, and the crowd had to decide whether or not they had succeeded. If not, the inhabitants could

⁵ E. Isenmann, 'Norms and values in the European city', in: *Resistance, representation and community*, ed. P. Blickle (The origins of the modern state in Europe, Oxford, 1997), 185–215.

withdraw their consent. Thus, the *bonum commune* legitimised the municipal power that was based on the trust and consent of the crowd.⁶

These general observations on the fundamentals of communal power also applied to Flanders. In sixteenth-century political treatises cognate theories were developed.⁷ Middle-Dutch moralising texts, however, also stressed that the power of the municipal governments rested on the confidence and approval of the people and that only the realisation of the common good could legitimise their position.⁸ The yearly ritual transfer of communal power was the outstanding opportunity to establish and express this *consensus populi*. This ritual was staged with care in order to convince the audience that the most outstanding men were selected in a genuine way.⁹

In Flanders the municipal government of most towns consisted of a bench of aldermen, a bench of councillors, and two mayors. In contrast to Italian and most German towns, the authority to choose and install the municipality in Flanders was a privilege which rested with the count. In theory this ruler was entitled to act on his own. However, in reality, the count appointed deputies who travelled to the towns and conducted the rituals on behalf of the prince. From the ruler's point of view the ideal system would have been for these deputies to be able to elect the entire magistracy according to his wishes without any hindrance from the locals. This system was used during certain periods of the Middle Ages, although the comital deputies were very much distrusted. Therefore, the towns strove to extend their influence on the elections and to minimise the influence of the comital delegates as much as possible. In Ghent and Ypres a group of local electors operated during some periods of the fifteenth century, whereas in Bruges the newly elected aldermen selected the councillors.¹⁰

⁶ U. Meier, 'Konsens und Kontrolle. Der Zusammenhang von Bürgerrecht und politischer Partizipation im spätmittelalterlichen Florenz', in: *Stadregiment und Bürgerfreiheit. Handlungsspielräume in deutschen und italienischen Städten des Späten Mittelalters und der Frühen Neuzeit*, ed. K. Schreiner and U. Meier (Göttingen, 1994), 147–87; Isenmann, 'Norms and values', 190; A. Black, 'The commune in political theory in the late Middle Ages', in: *Theorien kommunaler Ordnung in Europa*, ed. P. Blickle and E. Müller-Luckner (Schriften des Historischen Kollegs, Kolloquien 36, München, 1996), 105; A. Rigaudière, 'Voter dans les villes de France au Moyen Âge (XIII^e–XV^e s.)', *Académie des inscriptions et belles lettres. Comptes rendus des séances*, 4 (2000), 1458.

⁷ K. Tilmans, 'Republican citizenship and civic humanism in the Burgundian-Habsburg Netherlands (1477–1566)', in: *Republicanism. A shared European heritage. vol. 1. Republicanism and constitutionalism in early modern Europe*, ed. M. Van Gelderen and Q. Skinner (Cambridge, 2002), 107–25.

⁸ B.H.D. Hermesdorf, *Rechtsspiegel. Een rechtshistorische terugblik in de Lage Landen van het Herfsttij* (Nijmegen, 1980); P. Avonds, 'Ghemeyn oirbair. Volkssoevereiniteit en politieke ethiek in Brabant in de veertiende eeuw', in: *Wat is wijsheid? Lekenethiek in de Middelnederlandse letterkunde*, ed. J. Reynaert (Nederlandse Literatuur en Cultuur in de Middeleeuwen 9, Amsterdam, 1994), 164–80.

⁹ J. van Leeuwen, 'Ritueel en publiek. De rol van de toeschouwers bij de wetsvernieuwing in Gent, Brugge en Ieper (15de eeuw)', *Tijdschrift voor geschiedenis*, 117 (2004/3), 321–37.

¹⁰ For more details, see: J. van Leeuwen, *De Vlaamse wetsvernieuwing. Een onderzoek naar de jaarlijkse keuze en aanstelling van het stadsbestuur in Gent, Brugge en Ieper in de Middeleeuwen* (in press at the Koninklijke Vlaamse Academie van België voor Wetenschappen en Kunsten, Nieuwe reeks, 15, Brussels, 2004).

With these election committees, the choice was spread over several stages. As was the case in other European towns, this indirect procedure would guarantee an increasing quality of those elected. At every step only the best and wisest men were selected who would, after careful consideration and preferably unanimously, appoint first-rate candidates. These various stages corrected each other and would render an outside influence on the election impossible.¹¹ In Flanders this meant that the influence of the comital deputies was minimised. Moreover, the Flemish electors conferred in a conclave, completely isolated from the outside so that they could focus only on the quality of the candidates. According to Ghent such a closed assembly would exclude partiality and other corrupting influences.¹² Compared to the electoral systems in other European towns, the systems used in Flanders were rather simple, since the selection of new aldermen was spread over a maximum of three stages. But just as it did elsewhere the selection had to gain legitimacy through this indirect system. The slightest suspicion that the process was corrupted, however, seriously endangered the *consensus populi* that had to be the root of municipal power. Therefore, the ritual transfer had to convince the crowd that the best candidates were selected. The integration of oaths which the various participants had to swear in public was a very strong means of ensuring the election's reliability.

2.2. *Oath-formulae during the ritual transfer: fifteenth century developments*

Oaths can be defined as speech acts: oral promises that derive their legitimacy from the ritual context in which they are pronounced. To be valid this formal utterance had to follow a traditional procedure, take place in appropriate circumstances, be made by and to appropriate people, and had to be enunciated in a proper frame of mind. These solemn promises both established human relationships and referred to a transcendent dimension, since God was called as the witness of the truth.¹³ Therefore, oaths were a strong means for social discipline since they were legally binding and had strong implications on the salvation of the oath-takers.¹⁴

¹¹ H. Keller, 'Wahlformen und Gemeinschaftsverständnis in den Italienische Stadtkommunen 12./14. Jahrhunderts. Voraussetzungen und Wandlungen', in: *Wahlen und Wählen im Mittelalter*, ed. R. Schneider and H. Zimmermann (Vorträge und Forschungen. Herausgegeben vom Konstanzer Arbeitskreis für mittelalterliche Geschichte 37, Sigmaringen, 1990), 354–62; H. Keller, 'Kommune: Städtische Selbstregierung und mittelalterliche 'Volksherrschaft' im Spiegel italienischer Wahlverfahren des 12.-14. Jahrhunderts', in: *Person und Gemeinschaft im Mittelalter. Karl Schmid zum 65 Geburtstag*, ed. G. Althoff (Sigmaringen, 1988), 590–591; V. Conti, 'The mechanisation of virtue: republican rituals in Italian political thought in the sixteenth and seventeenth centuries', in: *Republicanism. A shared European heritage. vol. 2. The values of republicanism in early modern Europe*, ed. M. Van Gelderen and Q. Skinner (Cambridge, 2002), 81; Rigaudière, 'Voter', 1466.

¹² 'omme alle faveure ende alle andre ongheoorloofde zaken te belettene, ten fyne dat de keure te rechtverdelicker zaude ghedaen werden': *Dagboek van Gent van 1447 tot 1470 met een vervolg van 1477 tot 1515*, ed. V. Fris (Maatschappij der Vlaamsche Bibliophilen vierde reeks 12, Gent, 1901–1904), I, 76.

¹³ Spurr, 'A profane history', 42–9.

¹⁴ Prodi, *Das Sakrament*; Isenmann, 'Ratsliteratur', 339; A. Holenstein, *Die Huldigung der Untertanen. Rechtskultur und Herrschaftsordnung (800–1800)* (Quellen und Forschungen zur Agrargeschichte, 36, Stuttgart-New York, 1991); L. Kolmer, *Promissorisches Eide im Mittelalter* (Regensburger Historische Forschungen, 12, Kallmünz, 1989).

The thirteenth and fourteenth century Flemish privileges do not give much information about the oaths that were pronounced during the yearly ritual transfer. Usually they refer to the promises electors and aldermen had to take in which they promised to do a good job. The contents of these vows were not quoted literally but paraphrased in general terms, or the charters just stated that the ‘usual formula’ had to be followed. With the growth of the central Burgundian State in the fifteenth century the use of oaths underwent significant changes.

For the first time the formulae were fixed in writing, and thus these verbal agreements that were usually limited in time and space became accessible beyond the ritual context. Three motivations stand out to explain these registrations. First the recording had to guarantee a correct elaboration of the ritual transfer. A master of ceremonies could prompt these texts from the book in which they were fixed, so that the exact formulae would be used during the transfer. Secondly, these registrations clearly formulated the norms and values the various participants had to respect. Thus, a written standard for the examination and evaluation of the participant’s conduct was facilitated. The written word also guaranteed legal security, since it fixed the oath-formulae and protected these promises against distorted memory. Such recordings had to prove after the ritual that a person had taken a certain oath and was thus legally bound to the promises he had made. Finally, because they were written down, adjustments to the formula could only be implemented deliberately.¹⁵

In the Flemish sources two types of recorded oaths can be traced. The first registrations consisted of general formulae that were not explicitly linked to a historical context. Thus, these texts could be used during several ritual transfers. In Ghent such formulae were recorded in the town’s charter books, while in Bruges the oaths were written down in the *registers van de wetsvernieuwingen*: lists that annually recorded the composition of the municipal government, combined with information about the proceedings of the ritual transfer. These universal texts were probably read out during the event.

At the end of the fifteenth century, when tensions between the towns and the ruler were running high, the oath-formulae that were fixed in writing were clearly situated within the political context in which they had been uttered. Good examples of this

¹⁵ H. Keller, ‘Vorschrift, Mitschrift, Nachschrift: Instrumente des Willens zu vernunftgemäßem handeln und guter Regierung in den italienischen Kommunen des Duecento’, in: *Schriftlichkeit und Lebenspraxis im Mittelalter. Erfassen, Bewahren, Verändern*, ed. H. Keller, C. Meier and T. Scharff (Akten des Internationalen Kolloquiums 8.-10. Juni 1995, München, 1999), 25-8, 32 and 40; H. Keller, ‘Die Veränderung gesellschaftlichen Handelns und die Verschriftlichung der Administration in den italienischen Stadtkommunen’, in: *Pragmatische Schriftlichkeit im Mittelalter. Erscheinungsformen und Entwicklungsstufen*, ed. H. Keller, K. Grubmüller and N. Staubach (Akten des Internationalen Kolloquiums 17.-19. Mai 1989, Münstersche Mittelalter-schriften 65, München, 1992), 22-6; G. Dilcher, ‘Oralität, Verschriftlichung und Wandlungen der Normstruktur in den Stadtrechten des 12. und 13. Jahrhunderts’, in: *Pragmatische Schriftlichkeit im Mittelalter. Erscheinungsformen und Entwicklungsstufen*, ed. H. Keller, K. Grubmüller and N. Staubach (Akten des Internationalen Kolloquiums 17.-19. Mai 1989, Münstersche Mittelalter-schriften 65, München, 1992), 16.

are the formulae that were recorded in the *Zwartenboek* of Ghent after the town's defeat in 1485. On this occasion the Roman King Maximilian had punished the town severely and had installed a new municipality. In the *Zwartenboek* first a short outline of the town's ritual submission was sketched, followed by a description of the new aldermen's installation. Then the names of these new officials were registered and finally the oaths that were pronounced on this occasion were recorded.¹⁶ Two years later, after a serious revolt against the same ruler, Ghent installed a rebellious municipality. The oath which the aldermen and the other officials in the town had taken was recorded in the *Zwartenboek* with a reference to the political context. Since this formula was written down on the page opposite that which recorded the oaths pronounced in 1485, they were strongly contrasted with those humiliating events.¹⁷ Compared to Italy the written fixation of oaths in Flanders started rather late. The elaboration of the centralised state and its growing impact on the ritual transfer probably inspired the towns to record the formulae for the first time. Thus they could prove and control the vows that were pronounced during this solemn event.

In the thirteenth and fourteenth centuries the privileges imposed a single, solemn oath on the aldermen and the electors. In the fifteenth century, however, the number of oaths that had to be pronounced during the ritual transfer increased significantly. This was the result of a general distrust of the comital deputies.¹⁸ The towns complained that these officials had bought their commissions. Moreover, they sold the municipal offices to the highest bidder and were led by favouritism and greed. The aldermen in their turn wished to make the most of their opportunity by selling the lesser offices and squeezing their subjects. Thus, corruption expanded and the towns were governed poorly, to the detriment of the inhabitants.¹⁹ When Philip the Bold asked the Flemish towns for financial support in 1430, one of the conditions they required to grant this request was that the duke should put an end to this cascade of corruption.²⁰ Therefore, the duke issued two regulations, in 1431 and 1432. He ordered that on their arrival in the towns his deputies had to solemnly promise that they would act correctly. Moreover, the local clerks, advisors and the deans of the town's guilds also had to swear an oath. Finally, he added new clauses

¹⁶ Ghent, municipal archives, reeks 93, 7/G: Eerste zwartenboek, fol.35^r.

¹⁷ Ghent, municipal archives, reeks 93, 7/G: Eerste zwartenboek, fol.35^r and reeks 93, 7/G: Eerste zwartenboek, fol.34^v.

¹⁸ In general oaths were employed as a juridical or legal counterweight to social mistrust: H.-C. Rublack, 'Political and social norms in urban communities in the Holy Roman Empire', in: *Religion, politics and social protest. Three studies on early modern Germany*, ed. K. von Greyerz (The German Historical Institute, London, 1984), 34.

¹⁹ This image was drawn very explicitly by the fifteenth-century chronicle written in Ypres: Olivier Van Dixmude, *Merkwaardige gebeurtenissen vooral in Vlaenderen en Brabant, en ook in de aangrenzende landstreken, van 1377 tot 1443*, ed. J.-J. Lambin (Ypres, 1835), 80.

²⁰ W.P. Blockmans, *Handelingen van de Leden en van de Staten van Vlaenderen. Regering van Filips de Goede (10 september 1419-15 juni 1467) Excerpten uit de rekeningen van de Vlaamse steden en kasselrijen en van de vorstelijke ambtenaren*. (Koninklijke Academie van België. Koninklijke Commissie voor Geschiedenis, Brussels, 1995), vol. 1, nr. 454.

to the traditional aldermen's oaths.²¹ These restrictions were repeated in 1446²² and 1477.²³ Thus, these mutual oaths were imposed on all the participants of the ritual and had to guarantee that corruption was ruled out, so that the selection would be based only on the quality of the candidates. Moreover, the ordinances threatened severe disciplinary measures in cases of perjury. They presented the oaths both as standards for legal repression and as an ideal tool to prevent further problems during the elections. All these officially agreed additions were, however, not an initiative from the ruler, but requested by the towns. Thus, the local authorities wanted to put a stop to the negative consequences of at least one aspect of centralised state formation.²⁴

In contrast to the uniform oaths that had to be respected by the entire county, other solemn promises were added to the local ritual in particular towns. In Ypres the privilege of 1430 ordered that the clerks appointed to count the votes had to promise not to betray the secrecy of the votes.²⁵ During a debate about the electoral system in Ghent in 1449 the town wanted to overcome a deadlock in the negotiations by imposing an oath on the clerk and the master of gifts who served the electors during their deliberations.²⁶ These officials had to promise not to interfere during the election and to preserve the secrecy of the votes afterwards.²⁷ Again, the multiplication of the oaths was presented as the best solution for corruption during

²¹ The text of 27 April 1431 is edited in *Privilèges et chartes de franchises de la Flandre. Tome 1. Actes généraux et Flandre Française (première partie)*, ed. G. Espinas, C. Verlinden, and J. Buntinx (Verzameling van de oude costumen van België. Costumen van het land en graafschap Vlaanderen, Brussels, 1959), 13. The text of 18 January 1432 in: Gilliodts-Van Severen, *Inventaire des archives de la ville de Bruges. section première, inventaire des chartes* (Archives de la ville de Bruges, Bruges, 1878-1885), vol. 4, 979.

²² Edition: *Privilèges et chartes*, 14.

²³ Edition: W.P. Blockmans and E.I. Strubbe., 'Privilegie voor het graafschap Vlaanderen, verleend door Maria, hertogin van Bourgondië, ter bekrachtiging van de klachten die de Staten haar hadden voorgelegd', in: *Le privilege general et les privileges regionaux de Marie de Bourgogne pour les Pays-Bas—1477—Het algemene en de gewestelijke privilegiën van Maria van Bourgondië voor de Nederlanden*, ed. W.P. Blockmans (Standen en Landen, 80, Kortrijk-Heule, 1985), 126-144.

²⁴ W.P. Blockmans, 'Patronage, brokerage and corruption as symptoms of incipient state formation in the Burgundian-Habsburg Netherlands' in: *Klientelsysteme im Europa der Frühen Neuzeit*, ed. A. Maczak and E. Müller-Luckner (Schriften des Historischen Kollegs. Herausgegeben von der Stiftung Historisches Kolleg. Kolloquien 9, München, 1988), 117-26.

²⁵ Edition: L. Gilliodts-Van Severen, *Coutume de la ville d'Ypres* (Recueil des anciennes coutumes de la Belgique. Coutumes des Pays et Comté de Flandre. Quartier d'Ypres, Brussels, 1908), vol. 2, 67; I.L.A. Diegerick, *Inventaire analytique et chronologique des chartes et documents appartenant aux archives de la ville d'Ypres* (Bruges, 1853-1868), vol. 3, Annexes M.

²⁶ For the historical backgrounds, see: M. Boone, *Gent en de Bourgondische hertogen ca. 1384 — ca. 1453 Een sociaal-politieke studie van en staatsvormingsproces* (Verhandelingen van de Koninklijke Academie voor Wetenschappen, Letteren en Schone Kunsten van België — Klasse der Letteren 133, Brussels, 1990); J. Haemers, *De Gentse opstand (1449-1453). De strijd tussen rivaliserende netwerken om het stedelijke kapitaal* (Standen en Landen, 105, Kortrijk-Heule, 2004).

²⁷ Edition: V. Fris, 'Oorkonden betreffende den Opstand van Gent tegen Philips den Goede (1450-53)', *Handelingen der Maatschappij van geschied- en oudheidkunde te Gent*, 4 (1901-1902), 60.

the municipal elections. Both the ruler and the towns suggested that an additional oath would strengthen the reliability of the election-process.

From 1430 onwards all the participants of the ritual transfer had to pronounce a solemn oath. These promises were sworn in a solemn setting, on an oath-cross and in front of the crowd. Consequently, the ritual transfer consisted of four phases alternating between public and private events. During the public opening the deputies and electors often publicly swore an oath in which they promised to proceed in a legitimate way. Secondly, the election committee deliberated behind closed doors in a conclave. This seclusion served to enhance the legitimacy of the election. Thirdly, the names of the new aldermen were proclaimed to the inhabitants of the town. After the proclamation, the aldermen swore an oath in front of the crowd.²⁸ The Flemish sources demonstrate that the crowd was really interested in these promises. For example, in 1398 the people of Bruges stated that they used to wait until five out of twelve aldermen had taken their vows. Then they returned home because they were sure that a new municipal government was installed.²⁹ In 1467 the inhabitants of Ghent threatened violence if the aldermen's oath referred explicitly to a much-hated treaty, as had been the case in preceding years.³⁰ These references demonstrate that the inhabitants witnessed the oath-taking, that they were listening, and that the formulation of the text really mattered to them.

In short, in medieval Flanders oaths were considered as an adequate tool to solve political problems, to establish the reliability of the election-process and to root the power of the town governors in the *consensus populi*. These mutual promises demonstrated the basic rules of the ritual, which had to both legitimise the election and legally bind the protagonists. But which norms and values were stressed in these vows? And how were these oaths employed in the rebellious political context of fifteenth-century Flanders?

3. Oath-formulae as a legally binding set of norms and values

Oaths are legally binding speech acts when they are pronounced in a concise ritual context. They are not spontaneous utterances, but formal texts often prompted by a master of ceremonies.³¹ These oaths could serve as a final criterion for selection, since a person who refused to swear certain clauses had to be replaced.³² In fact,

²⁸ van Leeuwen, 'Ritueel en publiek'; D.W. Poeck, 'Zahl, Tag und Stuhl. Zur Semiotik der Ratswahl', *Frühmittelalterliche Studien*, 33 (1999), 396-427; D.W. Poeck, 'Rituale der Ratswahl in westfälischen Städten', in: *Vormoderne politische Verfahren*, ed. B. Stollberg-Rilinger (Zeitschrift für historische Forschung, Beiheft 25, Berlin, 2001), 207-62.

²⁹ Brussels, Algemeen Rijksarchief, Oorkonden van Vlaanderen, box 13, nr. 419.

³⁰ Edition: V. Gaillard, *Archives du conseil de Flandre ou recueil de documents inédits relatifs à l'histoire politique, judiciaire, artistique et littéraire* (Gent, 1856), 171-74.

³¹ J. van Leeuwen, 'Schepeneden in de Lage Landen. Een eerste verkenning van hun betekenis, overlevering en formulering (dertiende tot zestiende eeuw)', *Jaarboek voor middeleeuwse geschiedenis*, 6 (2003), 112-60.

³² *Ordonnances de Jean sans Peur 1405-1419*, ed. J.-M. Cauchies (Verzameling van de verordeningen der Nederlanden, eerste reeks: 1381-1506, eerste sectie. 3, Brussels, 2001), 235, 372-75.

these formal texts sketched an ideal portrait of a virtuous governor and a trustworthy elector as a guarantee that only the *meliores* and *sapientiores* would rule the town.

In the Flemish archives a number of fifteenth-century oath-formulae survive allowing us to reconstruct the evolution of these promises. The norms and values which were imposed on aldermen, electors and comital deputies and how these oaths were adapted to the rebellious political context will be examined. We will see the locally formulated core of the oath, the uniform measures imposed by the Burgundian dukes and the clauses that were adapted during or after political conflicts. For more details, the tables at the end of this essay can be referred to. In order to present the oath-formulae in a more structuralised way, the clauses have been divided into comparable categories, like ‘acquisition of position’, ‘duties’ and ‘confirmations’. The shaded columns in the tables refer to political treaties, either issued for one town in particular or for the entire county. The unshaded columns represent the surviving oath-formulae.

3.1. Aldermen’s oaths and the virtues of government

In the early Middle Ages official’s oaths were often just affirmations of allegiance. From the twelfth century onwards, major changes occurred. Influenced by the new study of Roman law, the office was regarded as an aggregation of precise duties, independent of the individual performing the task. The former *ministerium*, a position dependent upon a lord, was replaced by the *officium*: a role, limited in time, assigned by election and not on the basis of birthright. Thus the importance of personal loyalty was diminished, and the detailed description of the tasks expected became of greater significance.³³ That specialisation and professionalisation was reflected in the formulation of the oaths that offered a clear statement of the duties of office.³⁴ The tables 1–3 summarise the clauses cited in the oaths of the aldermen of Ghent, Bruges and Ypres in the fifteenth century.

In Flanders, the thirteenth- and fourteenth-century privileges did not record a verbatim formula of the aldermen’s oath. In the towns, oaths were formulated that generally summed up the duties of office. In the tables the first group of duties has been labelled as ‘universal duties’ that other authorities, like the Flemish bailiffs, also had to promise.³⁵ According to the surviving formulae, the municipality promised to serve the church and to take care of widows and orphans. That way the *caritas* of the

³³ K. Kroeschell, ‘Amt-Einleitung’, *Lexikon des Mittelalters*, I (1980), k. 546; P. Michaud-Quantin, *Universitas. Expressions du mouvement communautaire dans le Moyen-Age latin* (L’Église et l’état au Moyen Age 13, Paris, 1970), 171; G. Dilcher, ‘The city community as an instance in the European process of individualization’, in: *The individual in political theory and practice*, ed. J. Coleman (The origins of the modern state in Europe 13th to 18th centuries, Oxford, 1996), 295; G. Dilcher, ‘Die Rechtsgeschichte der Stadt’, in: *Enzyklopädie der Rechts- und Staatswissenschaft*, ed. H. Albach (Berlin, Heidelberg, New York, 1999), 550.

³⁴ Kolmer, *Promissorische Eide*, 113; E. Campbell, ‘Oaths and affirmations of public office under English law: an historical retrospect’, *The Journal of Legal History*, 21/3 (2000), 1.

³⁵ J. van Leeuwen, ‘Belofes van een baljuw. De evolutie van een ambtseed te Brugge (14de-15de eeuw)’, *Millennium. Tijdschrift voor middeleeuwse studies*, 13 (1999), 123–36.

governing elite was underlined, an important political virtue that would establish peace (*pax*) in the town. This concept was closely associated with the unity or *concordia* of the aldermen, a bond of friendship (*amicitia*) or fraternity (*fraternitas*) that was created in the solemn act of the mutual oath-taking.³⁶ Finally, the aldermen swore to respect the local privileges and customs and to serve the town and the count to the best of their ability. Only at the end of the fifteenth century was an explicit promise of allegiance to the ruler added.³⁷

The most elaborate part of the duties cited in the aldermen's oaths consisted of specific guidelines for the juridical functions of the town governors, summarised in the tables as 'duties (jurisdiction)'. As the local judicial tribunal the municipality was expected to pass fair judgements. The oaths stipulated that they should judge all people equally, whether rich or poor. Of course they were obliged to hear all the parties in a conflict. Moreover, they could not pass judgements on their own initiative, but had to be summoned by the local bailiff. In short, *iustitia* was considered to be the main virtue of an alderman. Aldermen's oaths from other towns in the Low Countries and abroad cite similar duties, and these oaths are also very much related to promises of royal judges at court.³⁸ Jacob has suggested that the impartiality of judgements explains why aldermen's oaths were composed from the twelfth century onwards. The reform of juridical practices, replacing trials by ordeal with the intervention of *ex officio* judges, resulted in the need to bind the conscience of these judges with a solemn oath and to limit judicial discretion.³⁹ Thus, just as in political theory, *iustitia* was a central virtue to inspire and legitimise the aldermen.⁴⁰

As the tables show, the enumeration of the aldermen's duties was concluded with a traditional confirmation in which the oath-taker asked God and all his saints for assistance. This invocation of transcendent authority identified the formal speech act as an oath.⁴¹ It was completed with a list of emotions that endangered the virtues that were invoked. In Ghent for example, the aldermen swore that nothing would restrain them from passing a just verdict, not even property, fear, hostility, affinity or hate, nor would they neglect justice 'for whatever the heart thinks'.⁴² Similar lists of emotions can be found in the oaths of governors in other European towns.⁴³ Thus, the aldermen were expected to be stable; they had to control their feelings and put

³⁶ Isenmann, 'Norms and Values', 189; Isenmann, 'Ratsliteratur', 228-30; Rublack, 'Political and social norms', 27-30.

³⁷ E.g. in Ghent in 1490.

³⁸ van Leeuwen, 'Schepeneden'; Isenmann, 'Ratsliteratur', 337-354; Campbell, 'Oaths and affirmations', 3-4; R. Scheyhing, *Eide, Amtsgewalt und Bannleihe. Eine Untersuchung zur Bannleihe im hohen und späten Mittelalter* (Forschungen zur Deutsche Rechtsgeschichte, 2, Cologne, 1960).

³⁹ R. Jacob, 'Le serment des juges ou l'invention de la conscience judiciaire (XII^e siècle Européen)', in: *Le serment. I. Signes et fonctions*, ed. R. Verdier (Paris, 1991), 439-57; Scheyhing, *Eide*, 150-51.

⁴⁰ Isenmann, 'Norms and values', 189; Rublack, 'Political and Social Norms', 27.

⁴¹ Kolmer, *Promissorische Eide*, 48.

⁴² Edition: F. De Potter, *Gent, van den oudsten tijd tot heden. Geschiedkundige beschrijving der stad* (Geschiedenis van de gemeenten der provincie Oost-Vlaanderen, zevende reeks, 2), vol. 1, 277-78. For other oath-formulae: van Leeuwen, 'Schepeneden'.

⁴³ van Leeuwen, 'Schepeneden', 137-38; Scheyhing, *Eide*, 183-185; Isenmann, 'Ratsliteratur', 353-54.

their private interests aside in order to perform a good job. Although the common good is not mentioned explicitly, the contrast between public and private interests marked the difference between a good government and tyranny.⁴⁴ Moreover, the balance of these emotions constituted an objectiveness that marked true wisdom (*sapientia*), a very important virtue for a ruler.⁴⁵

This old core of the aldermen's oath was inspired by the promises that other authorities had to take and did not evolve much in the fifteenth century. The tables demonstrate that the number of emotions cited could differ slightly without causing a significant change of values. One can trace the influence of legal language, since these components were increasingly specified and elaborated in detail so as to ensure the unequivocal and completeness of the solemn promises.⁴⁶

In the course of the fifteenth century new clauses were added to this core. They have been clustered in the tables under the categories 'acquisition of position' and 'distribution of offices'. The addition of these new clauses happened for the first time in Ypres in 1414. According to the privilege that regulated the election-process the aldermen were to confirm publicly that they had not asked for or offered payment to obtain an office in the municipal government.⁴⁷ Another charter that was promulgated for Ypres in 1430 ordered the aldermen to swear that they would assign qualified men to the lower offices of the town, without accepting bribes or promises from them.⁴⁸ Not much later, in 1431 and 1432, these measures were expanded to all the Flemish towns. As the tables show, the aldermen of Bruges and Ypres had to confirm that they had not purchased their office in any possible way and that they would pass just and impartial verdicts in the future. Thirdly, they were to swear that they would assign qualified men to the lower offices of the town, without favouring anyone nor gaining personal profit from it. These measures were repeated in ducal privileges of 1446 and 1477. That the comital deputies had to supervise the observance of the regulations is demonstrated by a copy of the aldermen's oath preserved in a group of documents possessed by the deputies.⁴⁹ However, these clauses were never fully integrated to the aldermen's promises. The surviving oath-formulae of the municipality of Bruges show that the new clauses were isolated from the local formulae and were placed before the traditional text. In Ghent no traces of these ordinances are found in the oath-formulae at all, as demonstrated in table 1. Possibly, these clauses formed a separate oath that had to be sworn before or after the taking of the traditional oath.

⁴⁴ Conti, 'The mechanisation', 74; Isenmann, 'Norms and Values', 190; Tilmans, 'Republican citizenship', 107.

⁴⁵ Tilmans, 'Republican Citizenship', 108.

⁴⁶ Kolmer, *Promissorische Eide*, 269-270 and 351. The aldermen of Ghent first had to promise: 'de privilegien ende vryheden van der stede te houdene'. In 1492 this formulation was expanded: 'de privilegien oude ende nieuwe, de rechten, vryheden, costumen ende usaigen van deser stede te houdene'.

⁴⁷ *Ordonnances de Jean sans Peur*, 235, 372-375; Gilliodts-Van Severen, *Coutume de la ville d'Ypres*, vol. 2, nr. 62, 288-91; Diegerick, *Inventaire*, vol. 3, Annexes J, 294-99.

⁴⁸ Gilliodts-Van Severen, *Coutume de la ville d'Ypres*, vol. 2, nr. 67; Diegerick, *Inventaire*, vol. 3, Annexes M.

⁴⁹ Bruges, Rijksarchief, Aanwinsten I, 1478/773B.

The addition to an existing oath of clauses concerning corruption is not exclusive to medieval Flanders. Similar evolutions can be traced in the vows the aldermen of the Brabantine towns had to take and in the oaths of office of the English royal judges. In both cases the implementation of explicit references to personal profit was presented as the solution to problems like corruption and favouritism.⁵⁰

Finally, a very flexible component of the Flemish aldermen's oath was the clause that referred to the political context of the municipal government. In the tables this is the first group of clauses cited, since these references often preceded the other clauses of the vow. Here, explicit references to the privileges and peace-treaties the aldermen had to respect were inserted. The reference to political agreements in oaths of office is a phenomenon that can be traced in medieval Italian towns as well.⁵¹ In Flanders, such clauses were usually changed during or after a political crisis, and in some cases the existing municipal governors only had to swear the new oath, and no new elections were organised. Often the ruler intervened, as was the case in Ghent where at the end of the Ghent revolt (1449-1453) the aldermen had to promise to respect the peace of Gavere (1453). During a new insurrection in 1467, the inhabitants of this town demanded that this reference be deleted. Clearly, this clause was interpreted as a humiliating addition that symbolised the ruler's victory.⁵² However, not only rulers rewrote the political situation mentioned in the aldermen's oath. When, at the end of the fifteenth century, both in 1482 and 1488, the rebellious towns installed their own benches of aldermen, they adapted the political context sketched in the aldermen's oath. The rebels explicitly demanded that references to the privileges that guaranteed local autonomy be introduced in the oath.⁵³ However, these rebellious oath-formulae still stated that the aldermen were representatives of the ruler, so they do not demonstrate radical republican thought. But, by emphasising the autonomy and political liberty of the towns it is clear that the rebels sought an alternative to monarchical centralisation.⁵⁴ The flexible reformulation of oath-formula in the political crisis of 1482-1492 demonstrates that both the rebels and the ruler used the aldermen's promises as a political tool to express their power and bind the municipal government to it. Whoever gained the most political influence left his mark on these solemn promises.

⁵⁰ van Leeuwen, 'Schepeneden', 135-37; Campbell, 'Oaths and affirmations', 3-4.

⁵¹ T. Scharff, 'Zur Sicherung von Verträgen in Eiden kommunaler Amtsträger und in städtischen Statuten (ca. 1150-1250)', in: *Statutencodices des 13. Jahrhunderts als Zeugen pragmatischer Schriftlichkeit. Die handschriften von Como, Lodi, Novara, Pavia und Voghera*, ed. H. Keller and J. W. Busch (Münstersche Mittelalter-schriften 64, München, 1991), 15-24.

⁵² Gaillard, *Archives*, 171-74.

⁵³ In Bruges in 1488 and 1489 the municipality was appointed by deputies from Ghent. In their letters of commission it was explicitly stated that the new aldermen had to promise to observe the peace of Bruges (1488) and the unity sworn by the Three Members (1482): Bruges, Municipal archives, 96, Cartularium Groenenboek B, fol. 69 r-v en fol.78 r-v.

⁵⁴ Tilmans, 'The republican citizen', 109.

3.2. Oaths and the elector's ideal frame of mind

Other participants in the ritual of the *wetsvernieuwing* were expected to take an oath at the start of the election. In tables 4 and 5 the clauses of the oaths of electors and comital deputies are summarised. Again, the shaded columns refer to privileges and the unshaded ones to the surviving oath-formulae.

Before the fifteenth century the privileges only paraphrased the oath the electors had to swear on entering the conclave. In these solemn promises their main duty was sketched, since they swore to select the best and most useful candidates. The actual formulation of this oath was left to the towns. As table 4 shows, the surviving oath-formulae in Ghent demonstrate that the main privileges and customs concerning the election were summarised in the text so as to guarantee that the electors would respect these regulations. But a local formula for the oath of the comital deputies did not yet exist. The only exception to this rule is Ypres. Table 5 therefore starts with the oath that was imposed upon this town in a privilege from 1430. In that year the municipality managed to purchase the influence of the deputies for a limited period of eight years. The privilege ordered that during this interval the deputies had to promise that they would appoint the candidates with the highest number of votes without benefiting anyone out of favour or friendship.⁵⁵ The further elaboration of the formula was left to the town.

Only in 1431-1432 was a uniform oath imposed on the comital deputies in the entire county of Flanders. On their arrival in the towns they had to swear that they would not receive gifts from candidates nor select the municipal governors on the basis of promises or requests. On the contrary, they had to be satisfied with the official fee that was granted to them. Secondly, they had to declare that they had acquired their position without bribery. Both promises were repeated in 1477; in 1446 however, only the first clause was mentioned. These promises had to offer legal security to the towns and therefore had a larger impact than an earlier regulation that simply prohibited corruption without imposing a binding oath.⁵⁶

The formulation of these official clauses clearly influenced the text of the oath of the electors in Ghent as is demonstrated in table 4. After a conflict during the elections of 1449, the town tried to solve the problem by stating that the electors had to swear that promises, bribes or obligations, neither on behalf of the town, nor on behalf of the duke, had influenced them.⁵⁷ Ghent repeatedly referred to this new clause in the oath as a fair solution for the problems raised during the election of the local magistrates.⁵⁸ After the ruler's victory in the conflict in 1453 this clause was left out, but when in 1477 the tide turned to the benefit of the town, the clause was reinstated.

⁵⁵ Gilliodts-Van Severen, *Coutume de la ville d'Ypres*, II, LXVII; Diegerick, *Inventaire analytique*, vol. 3, Annexes M.

⁵⁶ *Ordonnances de Jean sans Peur* 235, 372-75; Gilliodts-Van Severen, *Coutume de la ville d'Ypres*, 2, 62, 288-291; Diegerick, *Inventaire*, vol. 3, annexes J, 294-99.

⁵⁷ Fris, 'Oorkonden', 60.

⁵⁸ *Dagboek*, II, 120-21 and 147.

It is striking that the oaths of electors and deputies do not cite the selection-criteria that had to be used to identify the *valentior pars*. These promises focused on the virtues of the election-committee; this was important since the legitimacy of the aldermen was based on the impartiality of the election. The elector's and deputy's ideal frame of mind assumed that they were able to suppress private interests, both concerning bribery and personal relationships. Only when passions like love, friendship or hate were suppressed, would they serve the common good.⁵⁹

The surviving oath-formulae for the comital deputies in Bruges, summarised in table 5, demonstrate that the town translated only the official French formula into Middle Dutch, but did not insert local additions. The Ghent sources on the contrary clearly referred to the political context in which the comital deputies and the local electors had to act. For example in 1477 in addition to the clauses that were imposed by a general ordinance, the comital deputies had to promise that they would respect the town's privileges and customs concerning the selection of electors. The juridical value of the customs was a central issue for debate between the duke and Ghent. The evolution of this conflict was mirrored in the oath of the electors. The peace of Gavere (1453) abolished the local customs, and the electors had to swear that they would respect this treaty. The main provisions of this agreement were summarised in the oath. When the balance of power shifted in 1477 this clause was, of course, left out. Thus, both the duke and the towns used the oath of the electors and the deputies as a political tool to impose their views on the election process.

4. Conclusions

This essay has explored the impact of the Burgundian state formation on Flemish oaths of office that were pronounced during the annual municipal elections. On the occasion of this ritual transfer, the power of the town governors had to be rooted in the *consensus populi*. In order to establish trust that only the best and most virtuous men were selected, the election could be spread over several stages and the electors gathered behind closed doors in a conclave. A very good way of ensuring the election's trustworthiness was the integration of the oaths which the various participants had to swear in public.

Research has demonstrated that oaths functioned as a political tool in the conflict between the rising Burgundian State and the autonomy of the towns. In the fifteenth century the use of oaths underwent significant changes. For the first time these solemn promises were fixed in writing, the number of participants who had to swear an oath increased, and new clauses were added to the formulae in a very flexible way.

In the fifteenth century the Burgundian dukes tried to monopolise the use of oaths. Indeed, additional formulae and clauses could only be imposed by official ordinances, since the aldermen and deputies were representatives of the count of Flanders. These

⁵⁹ Conti, 'The mechanisation', 74; Isenmann, 'Norms and values', 190; Idem, 'Ratsliteratur', 354; Tilmans, 'Republican citizenship', 107.

changes were not, however, an initiative from the ruler, but requested by the towns. Thus, the local authorities wanted to put a stop to some of the negative consequences of centralised state formation. These solemn promises had to avoid corruption and favouritism on all levels of the election-process. The duke and the towns both presented oaths as standards for legal repression and as an ideal tool to prevent further problems. Furthermore, during revolts rebels added references to privileges and customs that guaranteed local autonomy. During regimes of strong comital power the ruler inserted privileges for his own benefit. In short: whoever gained the most political influence left his mark on these solemn promises.

In medieval Flemish towns oaths functioned as flexible political instruments to bind the municipality to an established balance of power. Clearly, these formal speech-acts offered advantages compared to other ritual means that were employed to convince the crowd that a legitimate municipal government was elected. In contrast to symbolic actions such as the use of impressive music, the illumination of the ritual space with torches and the visual presence of high officials, the oath-formulae were also accessible in written texts outside the ritual context. Moreover, these promises offered a clear statement of the duties of office, something the other ritual elements never could.⁶⁰ The formulae used summed up the virtues that had to inspire and legitimise the participants, like righteousness, the common good, independence of the passions of the soul and political liberty. As such the content of these oaths was very much related to political theory. Since these oaths were sworn in public, they were legally binding promises. The text of the formulae was presented as the standard for legal repression. The oaths of office that were sworn during Flemish municipal elections were political instruments. Both the ruler and the towns employed them to bind the participants in the ritual transfer of the balance of power that had been achieved.

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⁶⁰ Campbell, 'Oaths and affirmations', 1.

Table 1
Oaths of the aldermen in Ghent

Theme	15 th C ⁶¹	1431/ 1432 ⁶²	1432 ⁶³	1446 ⁶⁴	1467 ⁶⁵	1477 ⁶⁶	1477 ⁶⁷	1485 ⁶⁸	Aug 1487 ⁶⁹	Nov 1487 ⁷⁰	1490 ⁷¹	1492 ⁷²
Representatives town	x											
Representatives lord					x		x	x	x	x	x	x
- Count of Flanders								x	x	x		
- Mary of Burgundy							x					
- Maximilian as guardian								x			x	x
Privileges + customs												
- 1385: Tournai							x			x		
- before 1450							x			x	x	x
- 1453: Gavere					x			x				
- 1477							x			x	x	x
- Privileges king Louis										x	x	x
- 1482: Arras											x	x
- 1489: Tours											x	x
- 1492: Cadzand												x
Acquisition position												
Plea		x		x								
Promise		x		x								
Corruption		x		x								
Gifts		x		x								
- their property		x		x								
- property of others		x		x								
Courtesy		x		x								
Loan		x		x								
Advantage		x		x								
Distribution of offices												
Charity			x									
Plea		x		x		x						
Promise		x		x								
Corruption			x	x								
Tip			x									
Good people												

(continued on next page)

Table 1 (continued)

Gifts		x	x	x		x						
- Their property		x		x		x						
- Property of others		x		x		x						
Courtesy		x		x		x						
Loan		x		x		x						
Sale		x				x						
Advantage		x		x		x						
Duties (universal)												
What's right	x							x	x	x	x	
Justice		x		x		x						
Church	x				x		x	x	x	x	x	x
Privileges	x				x		x	x	x	x	x	x
Right	x				x		x	x	x	x	x	x
Rights lord	x				x		x	x	x	x	x	x
Loyal to lord											x	x
Widows + orphans	x				x		x	x	x	x	x	x
Duties (jurisdiction)												
Poor + rich	x						x	x	x	x	x	
Corruption		x		x		x						
Judge all		x		x		x						
Gift		x		x		x						
Commit fraud to rights		x		x		x						
- Lord		x		x		x						
- Parties		x		x		x						
- Town		x		x		x						
Jurisdiction when summoned	x							x	x	x	x	
Just sentence	x							x	x	x	x	
Confirmation												
Keep promises	x						x	x	x	x	x	
- envy								x	x	x		
- possession	x							x	x	x	x	
- favour												
- hate	x							x	x	x	x	
- affinity	x							x		x	x	

Table 1 (continued)

- fear	x						x	x		x	
- animosity	x										
- friendship							x	x	x	x	
Assistance God	x						x	x	x	x	
Assistance saints	x							x	x	x	
Power	x						x	x	x	x	
Knowledge	x						x	x	x	x	
What the heart feels	x						x	x	x	x	
Wisdom	x						x	x	x		

⁶¹ SAG, Oud archief, reeks 93^{bis}, 1, Cartularium Wittenboek, fol. 192r. Ed.: De Potter, *Gent*, vol. 1, 277-78.

⁶² *Privilèges et chartes*, nr. 13, 25-28; Gilliodts-Van Severen, *Inventaire des chartes*, vol. 4, nr. 979.

⁶³ Ghent, municipal archives reeks 93^{bis}, 5, Register transport van Vlaanderen, fol. 79r.

⁶⁴ *Privilèges et chartes*, nr. 14.

⁶⁵ Gaillard, *Archives*, 171-74.

⁶⁶ Blockmans and Strubbe, 'Privilegie voor het graafschap Vlaanderen', 129-32.

⁶⁷ Ghent, municipal archives, reeks 93, 3/C, Cartularium Eerste Geluwenboek, fol. 60v: incomplete formula.

⁶⁸ Ghent, municipal archives, reeks 93, 7/G, Cartularium Eerste Zwartboek, fol. 35r.

⁶⁹ Ghent, municipal archives, reeks 93, 7/G, Cartularium Eerste Zwartboek, fol. 35r.

⁷⁰ Ghent, municipal archives, reeks 93, 7/G, Cartularium Eerste Zwartboek, fol. 34v.

⁷¹ Ghent, municipal archives, reeks 93, 7/G, Cartularium Eerste Zwartboek, fol. 84v.

⁷² Ghent, municipal archives, reeks 93, 7/G, Cartularium Eerste Zwartboek, fol. 85r.

Table 2

Oaths of the aldermen in Bruges

Theme	1431/ 1432 ⁷³	1432 ⁷⁴	1446 ⁷⁵	Ca. 1468? ⁷⁶	Before 1477? ⁷⁷	1477 ⁷⁸
Representatives lord		x		x	x	
Acquisition position						
Plea	x	x	x	x		x
Promise	x	x	x	x		
Gift	x	x	x	x		x
Loan	x	x	x	x		x
- their property	x	x	x	x		x
- other property	x	x	x	x		x
Distribution offices						
Plea	x	x	x			x
Promise	x	x	x	x		x
Corruption			x	x		
Good people	x	x	x	x		
Gift	x	x	x	x		x
- their property	x	x	x			x
- other property	x	x	x			x
Courtesy	x	x	x			x
Loan	x	x	x			x
Sale	x	x				x
Favour	x	x	x	x		x
Duties (universal)						
What's good		x			x	
Exiles		x		x	x	
Justice	x	x	x			x
Church		x		x	x	
Money		x		x	x	
Privileges		x		x	x	
Right		x				x
Loyal to lord					x	
Widows + orphans		x		x	x	

Table 2 (continued)

Duties (jurisdiction)						
Corruption	x	x	x	x		x
Receive oath from clerks		x		x		x
Judge all		x	x	x	x	x
Gift		x	x			x
Commit fraud to rights	x	x	x	x		x
- lord	x	x	x	x		x
- parties	x	x	x	x		x
- town	x	x	x	x		x
Jurisdiction when summoned		x		x	x	
Just sentence		x		x	x	
Secrecy		x ²		x	x	
Confirmation						
Keep promise		x				
- envy		x		x	x	
- hate		x		x	x	
- homage		x				
- love				x	x	
- bribe		x				
- advantage				x	x	
- friendship		x		x	x	
Assistance God + saints		x		x	x	
Power		x				
Honour		x		x	x	
What the heart feels		x		x	x	

⁷³ *Privilèges et chartes*, nr. 13, 25-28; Gilliodts-Van Severen, *Inventaire des chartes*, vol. 4, 979.

⁷⁴ Bruges, municipal archives, 114, RW, 1422-1443, fol. 163r-v.

⁷⁵ *Privilèges et chartes*, nr. 14.

⁷⁶ Bruges, municipal archives, 114, RW, 1468-1501, fol. 290v.

⁷⁷ Bruges, municipal archives, 1468-1501, fol. 291v.

⁷⁸ Blockmans and Strubbe, 'Privilegie voor het graafschap Vlaanderen', 129-32.

Table 3

Oaths of the aldermen in Ypres

Theme	1414 ⁷⁹	1430 ⁸⁰	1431/ 1432 ⁸¹	1446 ⁸²	1477 ⁸³	1488 ⁸⁴
Representatives Philip the Fair						x
Loyal to Flanders						x
Acquisition position						
Plea	x					
Promise			x	x	x	
Gift			x	x	x	
- own property			x	x	x	
- other property			x	x	x	
Loan			x	x	x	
Purchase	x					
Distribution of offices						
Plea			x	x	x	
Promise		x	x	x	x	
Corruption				x		
Gift		x	x	x	x	
- own property			x	x	x	
- other property			x	x	x	
Good people		x	x	x	x	
Courtesy			x	x	x	
Loan			x	x	x	
Jurisdiction		x				
Sale			x	x	x	
Advantage		x	x	x	x	
Duties (universal)						
Protect lord						x
Church						x
Privileges						x
Rights count						x
Peace						x
Duties (jurisdiction)						x
Corruption			x	x	x	
Judge all			x	x	x	x
Commit fraud to rights			x	x	x	

Table 3 (continued)

- Lord			x	x	x	
- Parties			x	x	x	
- Town			x	x	x	
Jurisdiction when summoned						x
Attend the meetings						x
Secrecy						x
Confirmation						
Assistance God						x
What the heart feels						x

⁷⁹ *Ordonnances de Jean sans Peur*, nr. 235; Gilliodts-Van Severen, *Coutume de la ville d'Ypres*, vol. 2, nr. 62; Diegerick, *Inventaire*, vol. 3, annexes J, 294-99.

⁸⁰ Gilliodts-Van Severen, *Coutume de la ville d'Ypres*, vol. 2, nr. 67; Diegerick, *Inventaire*, vol. 3, annexes M.

⁸¹ *Privilèges et chartes*, nr. 13, 25-28; Gilliodts-Van Severen, *Inventaire des chartes*, vol. 4, 979.

⁸² *Privilèges et chartes*, nr. 14.

⁸³ Blockmans and Strubbe, 'Privilegie voor het graafschap Vlaanderen', 129-32.

⁸⁴ Lambin, *Geschiedkundige onderzoekingen*, 15-16.

Table 4

Oaths of the electors

Town	Y	F	F	G	G	G	G	F	G	G
Theme	1430 ⁸⁵	1431/ 1432 ⁸⁶	1446 ⁸⁷	1449 ⁸⁸	Before 1450 ⁸⁹	1450 ⁹⁰	After 1453 ⁹¹	1477 ⁹²	1477 ⁹³	1490 ⁹⁴
Deputies duke					x		x		x	x
- Mary of Burgundy									x	
- Maximilian as guardian										x
Acquisition position										
Gift		x						x		
Promise		x						x		
Distribution of offices										
Plea	x	x	x					x		
Promise	x	x	x			x		x	x	x
Nomination						x				
Corruption		x	x					x	x	x
Good men			x							
Gift	x	x	x					x	x	x
Relationship								x		x
Obligation	x					x		x	x	x
Election (specific)										
Burghers				x	x		x		x	x
No hate										
No 3 members							x			
Customs				x	x					
Good men			x					x		
Honourable				x	x		x		x	x
Respect privileges	x			x	x		x		x	x
- 1301							x		x	x
- 1450						x				
- 1453							x			
Suitable				x	x		x		x	x
Wise			x					x		

(continued on next page)

Table 4 (continued)

Confirmation										
- Conscience							x			
- Power					x					
- Knowledge					x		x			
- God and saints					x		x		x	x

⁸⁵ Gilliodts-Van Severen, *Coutume de la ville d'Ypres*, vol. 2, nr. 67, 309-13; Diegerick, *Inventaire*, vol. 3, annexes M, 309-316.

⁸⁶ *Privilèges et chartes*, nr. 13, 25-28; Gilliodts-Van Severen, *Inventaire des chartes*, vol. 4, nr. 979.

⁸⁷ *Privilèges et chartes*, nr. 14, 28-31.

⁸⁸ *Dagboek*, vol. 1, 73-74 and vol. 2, 113.

⁸⁹ Ghent, municipal archives, reeks 93, 3/C, Cartularium Eerste Geluwenboek, fol. 15v.

⁹⁰ Fris, 'Oorkonden', 60 and *Dagboek*, vol. 2, 120-21 and 147.

⁹¹ Ghent, municipal archives, reeks 93, 3/C, Cartularium Eerste Geluwenboek, fol. 15v.

⁹² Blockmans and Strubbe, 'Privilegie voor het graafschap Vlaanderen', 129-32.

⁹³ Ghent, municipal archives, reeks 93, 3/C, Cartularium Geluwenboek, fol. 60v.

⁹⁴ Ghent, municipal archives, reeks 93, 7/G, Cartularium Eerste Zwartboek, fol. 84v.

Table 5

Oaths of the comital deputies in Flanders

Town	Y	F	B	F	F	B	G
Theme	1430 ⁹⁵	1431/ 1432 ⁹⁶	1432 ⁹⁷	1446 ⁹⁸	1477 ⁹⁹	1477(?) ¹⁰⁰	1477 ¹⁰¹
Deputies duke							x
Acquisition position							
Promises		x	x		x	x	x
Gifts		x	x		x	x	x
Distribution of offices							
Corruption		x	x	x	x	x	
Favour	x						
Friendship	x						
Gifts		x	x	x	x	x	
Obligation		x	x	x	x	x	
Plea		x	x	x	x	x	
Promise		x	x	x	x	x	
Relationship		x	x	x	x	x	
Satisfied with fee		x	x	x	x	x	
Election (specific)							
Burghers							x
Local procedure							x
Good				x			x
Men							x
Majority of votes	x						
Confirmation							
Assistance God							x
Assistance Saints							x

⁹⁵ Gilliodts-Van Severen, *Coutume de la ville d'Ypres*, vol. 2, nr. 67, 309-313; Diegerick, *Inventaire*, vol. 3, annexes M, 309-16.

⁹⁶ *Privilèges et chartes*, nr.13, 25-28; Gilliodts-Van Severen, *Inventaire des chartes*, vol. 4, nr. 979, 523-27.

⁹⁷ Bruges, municipal archives, 114, RW, 1422-1443, fol. 163r.

⁹⁸ *Privilèges et chartes*, nr. 14, 28-31.

⁹⁹ Blockmans and Strubbe, 'Privilegie voor het graafschap Vlaanderen', 129-32.

¹⁰⁰ Bruges, municipal archives 114, RW, 1468-1501, fol. 291r.

¹⁰¹ Ghent, municipal archives, reeks 93, 3/C, Cartularium Geluwenboek, fol. 60v.